

DECLARATION AND POWER OF ATTORNEY  
IN COPENDING APPLICATION  
CONTAINING ADDITIONAL SUBJECT MATTER

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Attorney Docket No. 14251-0006P1  
Patent Application No. 09/379,888

As a below named joint inventor, each of us hereby declares as follows:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ASSAYS USING CROSSLINKABLE IMMOBILIZED NUCLEIC ACIDS

the specification of which is identified with Attorney Docket No. 14251-0006P1 and assigned Application No. 09/379,888. I have reviewed and understand the contents of the above-identified specification, including the claims.

This application in part discloses and claims subject matter disclosed in my earlier filed copending application Serial No. 09/138,195, filed August 21, 1998, of which I claim the benefit under 35 USC §120.

I acknowledge the duty to disclose information of which I am aware that is material to the examination of this application in accordance with 37 CFR §1.56(a), including material information which occurred between the filing date of said prior application and the filing date of this continuation-in-part application, insofar as the subject matter of the claims is not disclosed in said prior application in the manner provided by 35 USC §112, first paragraph.

That, as to the subject matter of this application which is common to said earlier application, I do not know and do not believe: that this invention was ever known or used in the United States of America before our invention thereof; that this invention was patented or described in any printed publication in any country before our invention thereof or more than one year prior to said application; that this invention was in public use or on sale in the United States of America more than one year prior to said application; that this invention has been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said application; nor that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to said application by me or my legal representatives or assigns.

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Attorney Docket No. 14251-0006P1  
Patent Application No. 09/379,888

That, as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe: that this invention was ever known or used in the United States of America before our invention thereof; that this invention was patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application; that this invention was in public use or on sale in the United States of America more than one year prior to this application; that this invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; nor that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns.

I hereby appoint the following to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

William B. Anderson, Reg. No. 41,595  
Victoria L. Boyd, Reg. No. 43,510  
Y. P. Chow, Reg. No. 30,740  
Robert F. Dennis, Reg. No. 40,988  
Jacques M. Dulin, Reg. No. 24, 067  
Derek P. Freyberg, Reg. No. 29,250  
Alicia J. Hager, Reg. No. 44,140  
Walter Kurz, Reg. No. 37,373  
Edward Lynch, Reg. No. 24,422  
Priscilla H. Mark, Reg. No. 41,970  
William Schmonsees, Reg. No. 31,796  
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Direct all telephone calls to: William Schmonsees at (650) 324-7041.


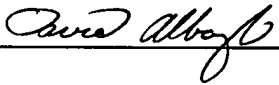
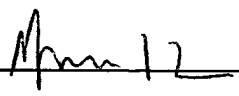
Address all written correspondence to:

Heller Ehrman White & McAuliffe  
525 University Avenue  
Palo Alto, CA 94301-1900.

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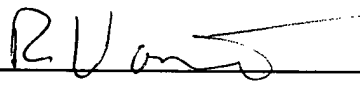
Attorney Docket No. 14251-0006P1  
Patent Application No. 09/379,888

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

FIRST JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
Bingfang Huan		10/12/99
RESIDENCE		CITIZENSHIP
Cupertino, California		U.S.A.
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SECOND JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
David Albagli		10/12/99
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Menlo Park, CA 94025		
THIRD JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
Michael L. Wood		10/12/99
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Attorney Docket No. 14251-0006P1  
Patent Application No. 09/379,888

FOURTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
Reuel B. Van Atta		10/12/99
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FIFTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
Peter C. Cheng		USA 10/12/1999
RESIDENCE		CITIZENSHIP

San Jose, California U.S.A.

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14251-0006 P1

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 28, 2000

PTAS

HELLER EHRMAN WHITE & MCAULIFFE  
WILLIAM SCHMONSEES  
525 UNIVERSITY AVENUE  
PALO ALTO, CA 94301-1900

**RECEIVED**



\*101189301A\*

**FEB 08 2000**

**H.E.W.M.-P.A.**

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/25/1999

REEL/FRAME: 010341/0928  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HUAN, BINGFANG

DOC DATE: 10/12/1999

ASSIGNOR:

ALBAGLI, DAVID

DOC DATE: 10/12/1999

ASSIGNOR:

WOOD, MICHAEL L.

DOC DATE: 10/12/1999

ASSIGNOR:

VAN ATTA, REUEL B.

DOC DATE: 10/12/1999

ASSIGNOR:

CHENG, PETER C.

DOC DATE: 10/12/1999

ASSIGNEE:

NAXCOR

4600 BOHANNON DRIVE, STE. 220  
MENLO PARK, CALIFORNIA 94025

**HEWM-SILICON VALLEY  
PATENT DOCKETING**

**FEB 08 2000**

**DATABASE ENTRY**

BY:

010341/0928 PAGE 2

SERIAL NUMBER: 09379888  
PATENT NUMBER:

FILING DATE: 08/23/1999  
ISSUE DATE:

LAWAN FLETCHER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RE

11-02-1999



SHEET

U.S. Department of Commerce

Patent and Trademark Office

101189301

To the Assistant Commissioner for Patents: Please attach original documents or copy thereof.

## 1. Name of conveying party(ies):

1. Bingfang Huan
2. David Albagli
3. Michael L. Wood
4. Reuel B. Van Atta
5. Peter C. Cheng

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: Naxcor

Street Address: 4600 Bohannon Drive, Ste. 220

City: Menlo Park State: CA ZIP: 94025

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ ASSIGNMENT - copy

Execution Date: 10/12/99 by all

## 4. Application number(s) or patent number(s):

Attorney Docket No. 14251-0006P1

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

S.N. 09/379,888

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Heller Ehrman White &amp; McAuliffe

Street Address: 525 University Avenue

City: Palo Alto State: CA Zip: 94301-1900

## 6. Total number of applications and patents involved:

17. Total fee (37 CFR 3.41)..... \$ 40.00☐ Enclosed☒ Authorized to be charged to deposit account

## 8. Deposit Account Number:

08-1641

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## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*William Schmonsees

Name of Person Signing

  
Signature10-21-99

Date

Total number of pages including cover sheet, attachments and document: [ 4 ]

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

10/28/1999 MTHA11 00000121 081641 09379888  
FC:581 (40.00 CH)

Assistant Commissioner for Patents  
Box Assignments  
Washington, DC 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

ASSIGNMENT

WHEREAS, We, Bingfang Huan, David Albagli, Michael L. Wood, Reuel B. Van Atta, and Peter C. Cheng, have invented certain subject matter entitled "Assays Using Crosslinkable Immobilized Nucleic Acids" (the "Invention") for which We have executed Attorney Docket No. 14251-0006P1 for Letters Patent of the United States of America, assigned U.S. Patent Application No. 09/379,888;

AND WHEREAS, Naxcor, having an address at 4600 Bohannon Drive, Suite 220, Menlo Park, CA 94025 ("Naxcor") desires to perfect its right to the Invention and in the Letters Patent to be obtained therefor from the United States of America and all countries foreign thereto;


NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, We acknowledge Naxcor's interest in the Invention and hereby assign to Naxcor for the United States of America and for all countries foreign thereto, all our rights, title and interest, including all rights under the Paris Convention for the Protection of Industrial Property, in the Invention, as described and claimed in Application No. 09/379,888, or in any continuation, division, reissue, reexamination or extension thereof and any legal equivalent thereof in a country foreign to the United States of America; the Invention, application and Letters Patent to be owned by Naxcor's successors,



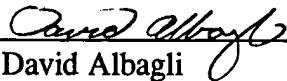
assigns and legal representatives, to the full end of the term for which such Letters Patent may be granted.

This assignment is effective as of the earlier of: (a) the date of my signature hereto, or (b) the filing date accorded by the United States Patent and Trademark Office to Application No. 09/379,888, as indicated in the Filing Receipt for said application.

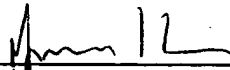
I have read and understand this Assignment document and agree hereto, as indicated by my signature as set forth below.

Signature  Date 10/12/99  
Bingfang Huan


Address 10266 Mann Drive, Cupertino, CA 95014

Signature  Date 10/12/99  
David Albagli

Address 1080 San Mateo Drive, Menlo Park, CA 94025

Signature  Date 10/12/99  
Michael L. Wood

Address 36 Tyrella Court, Mountain View, CA 94043

Signature  Date 10/12/99  
Reuel B. Van Atta

Address 505 Cypress Point Drive #224, Mountain View, CA 94043

Signature Peter Ching Lay Cheng Date Oct. 12, 1999  
Peter C. Cheng

Address 1162 Robalo Court, San Jose, CA 95132

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Huan, et. al.

Serial No.: 09/379,888

Filed: August 23, 1999

For: Arrays Using Crosslinkable Immobilized Nucleic Acids  
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Attorney Docket No.: NX#14

Art Unit: 1637

Examiner: J. Siew

Date: December 10 , 2003

REVOCATION AND POWER OF ATTORNEY

Mail Stop Revocation/Power of Attorney  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

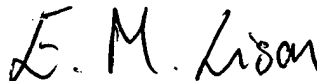
Dear Sir:

The undersigned Assignee hereby revokes all previous powers of attorney in this patent application and hereby appoints the following attorney to prosecute this application and all continuations, divisions, and continuations-in-part thereof whether already filed or to be filed, and to transact all business in the Patent and Trademark Office connected therewith, said attorney having full power of substitution and revocation.

Please direct all future correspondence in the above-identified patent application to:

Ralph T. Lilore  
Attorney-at-Law  
Reg. No. 20,079  
371 Franklin Avenue  
Nutley, New Jersey 07110  
(973) 667-6000

Respectfully submitted,



Elizabeth M. Lison  
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4600 Bohannon Drive  
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